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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/591,044	06/09/2000	Christopher J. Duguay	SYNER-164XX	2567
207	7590	09/22/2004	EXAMINER	
WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP			HUYNH, KIM T	
TEN POST OFFICE SQUARE			ART UNIT	
BOSTON, MA 02109			PAPER NUMBER	

2112

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/591,044	DUGUAY ET AL.	
	Examiner	Art Unit	
	Kim T. Huynh	2112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 6-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3 is/are allowed.
- 6) ☒ Claim(s) 6-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Receipt Acknowledgement***

1. Receipt is acknowledged of the request filed on 8/24/04 for a request for continued examination (RCE) under 37 CFR 1.114 based on the application No. 09/591,044 which the request is acceptable and an RCE has been established. Claims 4-5 and 9 have been canceled. Currently, claims 1-3, 6-8 have been amended and are pending in this application.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Catlin et al. (US Patent 6,526,518)

As per claim 6, Catlin discloses a method of transferring data between a plurality of devices coupled to a bus, at least one of the plurality of devices being operative at a plurality of clock rates, comprising the steps of: (col.4, lines 16-26)

- Providing first and second devices coupled to a bus, at least the second device including a data register, the bus including a data line for carrying data and a clock line for carrying a clock signal; (col.4, lines 40-59)

- Operating the first device at a first clock rate and operating the second device at a second reduced clock rate, the second reduced clock rate being less than the first clock rate; (col.4,lines 16-26)
- Transmitting data over the data line by the first device; (col.8,lines 5-11)
- Receiving at least a portion of the data transmitted over the data line by the second device; (col.8, lines 5-11)
- Storing at least a portion of the data transmitted over the data line in the data register by the second device; and (col.11, lines 17-28)
- Driving the clock line to a predetermined logic level while the data is stored in the data register by the second device, thereby enabling data transfer between the first device and the second device over the bus while the second device operates at the second reduced clock rate. (col.11, lines 1-29)

As per claim 7, Catlin discloses the method further including the step of clearing the data from the data register upon completion of the data transfer by the second device. (col.18,lines 1-13), (col.22, lines 34-48)

As per claim 8, Catlin discloses wherein the driving step includes driving the clock line to the predetermined logic level by control circuitry included in the second device, and further including the step of releasing the clock line upon completion of the data transfer by the control circuitry within the second device. (col.16, lines 7-15), (col.19, lines 5-65), (col.22, lines 34-48)

***Allowable Subject Matter***

4. Claims 1-3 are allowable.

Applicant's claimed invention is deemed allowable over the prior art of record as the prior art fails to teach or suggest in the even the first device is operating at the first clock rate and the second device is operating at the second reduced clock rate, to drive the clock line to a predetermined logic level while the data is stored in the data register, thereby enabling data transfer between the first device and the second device over the bus while the second device operates at the second reduced clock rate in combination with other limitations as recited in independent claim.

***Response to Amendment***

5. Applicant's amendment filed on 8/24/04 have been fully considered but are moot in view of the new ground(s) of rejection.

a. In response to applicant's argument that Sotek does not disclose or suggest the rate of the clock signal carried by the clock line is set two different values. However, Catlin discloses a processing component may be connected to several different sample rate clock lines to provide additional flexibility with regard to the assignment of sample rate clocks to the particular sample rate clock lines. (col.8, lines 18-25)

Thus, the prior art teaches the invention as claimed and the amended claims do not distinguish over the prior art as applied.

***Conclusion***

6. *Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Huynh whose telephone number is (571)272-3635 or via e-mail addressed to [kim.huynh3@uspto.gov]. The examiner can normally be reached on M-F 9.00AM- 6:00PM.*

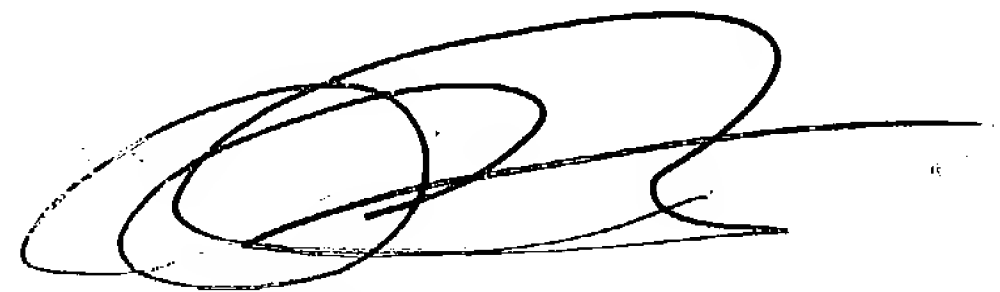
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*If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (571)272-3632 or via e-mail addressed to [mark.rinehart@uspto.gov]. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9306 for regular communications and After Final communications.*

*Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.*

Kim Huynh

September 17, 2004



**MARK H. RINEHART  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100**